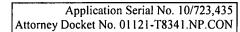
PTO/SB/21 (04-07) Approved for use through 09/30/2007. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/723,435 Filing Date TRANSMITTAL 11/26/2003 First Named Inventor **FORM** Weihong Xiong, et al. Art Unit 1615 Examiner Name Ghali, Isis AD (to be used for all correspondence after initial filing) Attorney Docket Number 01121-T8341.NP.CON Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC ✓ Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a **Proprietary Information** After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Identify Terminal Disclaimer **Extension of Time Request** below): Return Postcard Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Thorpe North & Western LALP Signature Printed name David W. Osborne Date ... Reg. No. June 18, 2007 44,989 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature June 18, 2007

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Nicole Solomon

Typed or printed name





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

Xiong et al.

SERIAL NO.:

10/723,435

FILED:

November 26, 2003

FOR:

TRANSDERMAL HUPERZINE

FORMULATIONS AND METHODS

ART UNIT:

1615

EXAMINER:

Ghali, I.

DOCKET NO.:

01121-T8341.NP.CON

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8

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Unicle Solomon

Oune 18, 2007
Date of Deposit

ELECTION AND RESPONSE UNDER 37 C.F.R. § 1.143

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313

Dear Sir:

In response to the communication mailed May 17, 2007 please reconsider this application in view of the election and remarks provided below.

ELECTION

Applicants elect without traverse, Group I as outlined in the office action mailed May 17, 2007, containing Claims 81-86 and 98-102 for further examination in the present application. Further, Applicants elect without traverse, the adhesive matrix species of acrylate polymer, and the enhancer species of fatty acid esters and further lauryl lactate.